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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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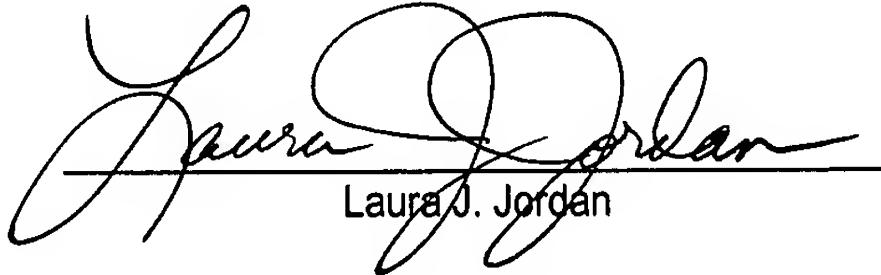
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CERTIFICATE OF MAILING OR TRANSMISSION

"Express Mail" mailing label number: ER394245949US

Date of Deposit: 23 March 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR, Section 1.10 on the date indicated above and is addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 by



Laura J. Jordan

Present Application:

Applicant: Ronald A. Schmaltz
Title: VALVE FOR CONTROLLING FLUID FLOW THROUGH
A TUBE, AND RELATED SYSTEMS AND METHODS
Attorney Docket No.: 1993-1-5

Pending Prior Application:

Applicant: Ronald A. Schmaltz
Serial No.: 10/116,571
Filing Date: 3 April 2002
Title: VALVE FOR CONTROLLING FLUID FLOW THROUGH
A TUBE, AND RELATED SYSTEMS AND METHODS
Examiner/Unit: John K. Fristoe Jr./3754
Attorney Docket No.: 1993-1-3

REQUEST FOR FILING APPLICATION UNDER 37 CFR 1.53(b)

The following items designated with an "X" are requested or enclosed with this transmittal letter:

This is a request for filing a continuation ___, continuation-in-part ___, or divisional X application under 37 CFR 1.53(b) of pending prior application identified above.

1. X A filing date in accordance with 37 CFR 1.10 is requested. (Express mail certificate appears on this transmittal letter.)
2. X A true copy of the prior application including declaration as originally filed is enclosed. (See Nos. 9 and 10 for drawing requirements.)
3. X The filing fee is calculated below:

CLAIMS AS FILED, LESS ANY CLAIMS CANCELLED BY AMENDMENT BELOW,
PLUS CLAIMS ADDED BY PRELIMINARY AMENDMENT, IF ANY

	Number Filed	Number Extra	Basic Fee <u>\$770/\$385</u>
Total Claims	10	- 20 = 0	X \$18/\$9 = \$0.00
Independent Claims	1	- 3 = 0	X \$86/\$43 = \$0.00
Multiple Dependent Claims	---	---	\$260/\$130= \$0.00
		Total Filing Fee	<u>\$385.00</u>

4. X Applicant claims small entity status.
5. X Check No. 21860 for the above calculated filing fee is enclosed.
6. X Please charge any additional fee or credit any overpayment to Deposit Account No. 07-1897.

7. Enter the amendment previously filed on _____ under 37 CFR 1.116 but unentered in the prior application.

8. A preliminary amendment is enclosed.

9. Transfer the drawings from prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file.

10. New drawings (3 sheets) identical to those originally filed in the prior application and amended in applicant's response dated 21 January 2004, are enclosed.

11. Priority of U.S. application Serial No. 10/116,571, filed on 3 April 2002, is claimed under 35 USC 120.

12. Priority of application Serial No._____, filed on _____, in country is claimed under 35 USC 119.

13. The prior application is assigned to _____, Inc., Reel _____, Frame _____.

14. The original power of attorney in prior application is to: John M. Janeway, Reg. No. 45,796, and all attorneys associated with Customer Number 000996. The power appears in the original papers in the prior application (copy enclosed).

15. A second power of attorney in prior application is to:
_____. The second power appears in the original papers in the prior application.

16. An associate power of attorney is enclosed.

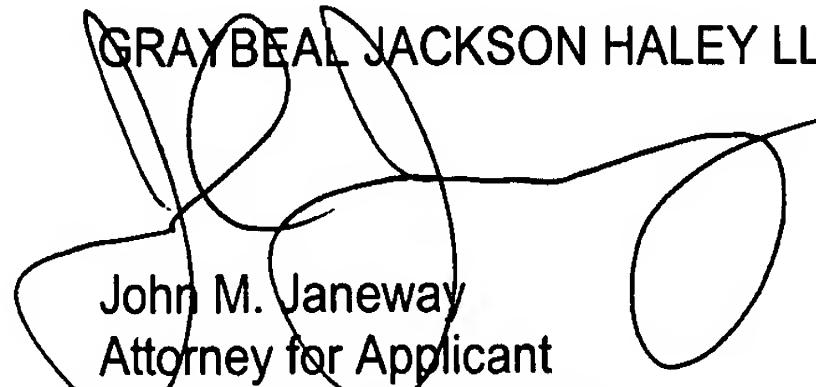
17. Also enclosed: Information Disclosure Statement with 30 total cited references.

Please address all future correspondence to John M. Janeway at the following address:

Mr. John M. Janeway
Graybeal Jackson Haley LLP
155 - 108th Avenue NE, Suite 350
Bellevue, WA 98004-5973
e-mail: jjaneway@graybeal.com

Respectfully submitted,

GRAYBEAL JACKSON HALEY LLP



John M. Janeway
Attorney for Applicant
Registration No. 45,796
155 - 108th Avenue NE, Suite 350
Bellevue, WA 98004-5973
(425) 455-5575

FILE COPY

PATENT APPLICATION - CERTIFICATE OF MAILING

Inventors: Ronald Anthony Schmaltz

Title of Invention: **VALVE FOR CONTROLLING FLUID FLOW THROUGH A TUBE, AND RELATED SYSTEMS AND METHODS**

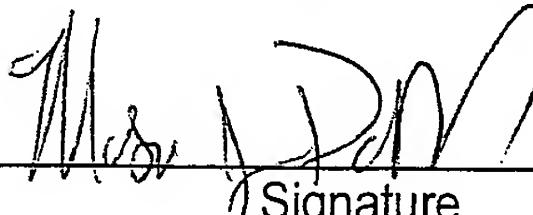
Attorney Dkt. No.: 1993-1-3

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Date of Deposit: April 3, 2002

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Signature

Enclosures:

- Utility Patent Application Transmittal
- Fee Transmittal
- Application (17 pages)
- Drawings (3 pages)
- Declaration
- Power of Attorney
- Check No. 184441 for \$448.00 filing fee
- Return postcard

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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))

Attorney Docket No.	1993-1-3
First Inventor	Ronald Anthony Schmaltz
Title	VALVE FOR CONTROLLING FLUID FLOW THROUGH A TUBE, AND RELATED SYSTEMS AND METHODS
Express Mail Label No.	EJ760077173US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)

2. Applicant claims small entity status.
See 37 CFR 1.27.

3. Specification [Total Pages 17]
(preferred arrangement set forth below)
 - Descriptive title of the Invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (*if filed*)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure

4. Drawing(s) (35 U.S.C.113) [Total Sheets 3]

5. Oath or Declaration [Total Pages]
 a. Newly executed (original or copy)
 b. Copy from a prior application (37 CFR 1.63 (d))
(for a continuation/divisional with Box 18 completed)
 i. **DELETION OF INVENTOR(S)**
 Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).

6. Application Data Sheet. See 37 CFR 1.76

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

7. CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)

8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)

- Computer Readable Form (CRF)
- Specification Sequence Listing on:
 - CD-ROM or CD-R (2 copies); or
 - paper
- Statements verifying identity of above copies

ACCOMPANYING APPLICATIONS PARTS

9. Assignment Papers (cover sheet & document(s))

10. 37 C.F.R. §3.73(b) Statement Power of Attorney
(when there is an assignee)

11. English Translation Document (*if applicable*)

12. Information Disclosure Statement (IDS)/PTO-1449 Copies of IDS Citations

13. Preliminary Amendment

14. Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)

15. Certified Copy of Priority Document(s)
(if foreign priority is claimed)

16. Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.

17. Other: Express Mail Certificate EJ760077173US

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

Continuation Divisional Continuation-in-part (CIP)
 Prior application information: Examiner _____ of prior application No: _____ / _____
 Group / Art Unit: _____

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.**17. CORRESPONDENCE ADDRESS** Customer Number or Bar Code Label

00996

or Correspondence address below

(Insert Customer No. or Attach bar code label here)

Name

Address

City

State

Zip Code

Country

Telephone

Fax

Name (Print/Type)	John M. Janeway	Registration No. (Attorney/Agent)	45,796
Signature		Date	April 3, 2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$)

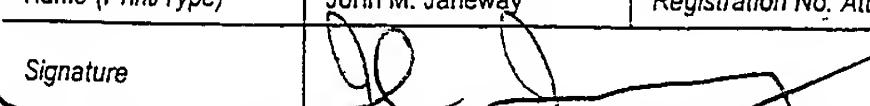
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Complete if Known	
Application Number	
Filing Date	April 3, 2002
First Named Inventor	Ronald Anthony Schmaltz
Examiner Name	
Group / Art Unit	
Attorney Docket No.	1993-1-3

METHOD OF PAYMENT (check one)				FEE CALCULATION (continued)																																																																																																																																																															
<p>1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:</p> <p>Deposit Account Number 07-1897</p> <p>Deposit Account Name Graybeal Jackson Hafey LLP</p> <p><input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17</p> <p><input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</p>				<p>3. ADDITIONAL FEES</p> <table border="1"> <thead> <tr> <th>Fee Code</th> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65 Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25 Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130 Non-English specification</td><td></td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520 For filing a request for reexamination</td><td></td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920* Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840* Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55 Extension for reply within first month</td><td></td></tr> <tr><td>116</td><td>400</td><td>216</td><td>200 Extension for reply within second month</td><td></td></tr> <tr><td>117</td><td>920</td><td>217</td><td>460 Extension for reply within third month</td><td></td></tr> <tr><td>118</td><td>1,440</td><td>218</td><td>720 Extension for reply within fourth month</td><td></td></tr> <tr><td>128</td><td>1,960</td><td>228</td><td>980 Extension for reply within fifth month</td><td></td></tr> <tr><td>119</td><td>320</td><td>219</td><td>160 Notice of Appeal</td><td></td></tr> <tr><td>120</td><td>320</td><td>220</td><td>160 Filing a brief in support of an appeal</td><td></td></tr> <tr><td>121</td><td>280</td><td>221</td><td>140 Request for oral hearing</td><td></td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510 Petition to institute a public use proceeding</td><td></td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55 Petition to revive - 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* or number previously paid, if greater; For Reissues, see above

SUBMITTED BY

Complete (if applicable)					
Name (Print/Type)	John M. Janeway	Registration No. Attorney/Agent)	45,796	Telephone	(425) 455-5575
Signature				Date	April 3, 2002

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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